

MINUTES OF THE VIRTUAL CONFERENCING MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
September 13, 2021

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Chair, Bridget Anderson, at 10:31 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level Room B, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 9.2.21 with a revision posted on 9.7.21.

Members Present on call (11):

The following members answered roll call:

Bridget Anderson, Chair (in Room)
Shannon Bingham, Member
Matt Bavougian, Member
Vicki Criswell, Member
Jacqueline Hornig, Secretary
Ruth Lucas, Member
Marie Nordboe, Member
Becky Pettigrew, Member
Brandy Phillips, Member
Pamela Rowland, Vice-Chair
Harold "Buddy" Sims, Member

Members Absent (1):

Leslie Reed, Member

Others Present:

Kris Chiles, Program Manager, Licensure Unit (in Room)
Carrie Erickson, Health Licensing Coordinator (in Room)
Natalee Hart, Assistant Attorney General (in Room)
Kate Manuel, DHHS Attorney (in Room)

Others Present on Call:

Anna Harrison, DHHS Compliance Monitor

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Rowland moved, seconded Criswell, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: Reed (1). Vacant positions (1). Motion carried.

3. APPROVAL OF MINUTES

Nordboe moved, seconded by Criswell, to approve the minutes of March 1, 2021. A voice vote was taken. Voting aye: Anderson, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Reed (1). Abstain: Bingham (1). Vacant positions (1). Motion carried.

Nordboe moved, seconded by Rowland, to approve the minutes of April 12, 2021. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: Reed (1). Vacant positions (1). Motion carried.

Nordboe moved, seconded by Criswell, to approve the minutes of May 10, 2021. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Criswell, Lucas, Nordboe, Phillips, Sims (8). Voting nay: None (0). Absent: Reed (1). Abstain: Hornig, Pettigrew, Rowland (3). Vacant positions (1). Motion carried.

Hornig moved, seconded by Sims, to approve the minutes of June 7, 2021. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Reed (1). Abstain: Pettigrew (1). Vacant positions (1). Motion carried.

Criswell moved, seconded by Nordboe, to approve the minutes of August 2, 2021 with 1 correction- page 1, item 1 – conference call was deleted as this was an in person meeting. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Reed (1). Abstain: Pettigrew (1). Vacant positions (1). Motion carried.

4. Updates/Follow-up

- a. Chiles reported that the Licensure Unit is moving to an internet based licensing system starting late 2021 and implementation ending 2022 called **LANCE** (Nebraska Licensing and Certification Environment).

LANCE will provide 24/7/365 access to real time license-related data, and provide licensees and applicants access to online services such as: application submission, uploading documents, renewal and reinstatement submissions, receiving automatic notifications of upcoming events and application status, updating contact information, and paying fees by credit/debit card or ACH through a PC, tablet, or phone.

An email address is required for licensees and applicants to utilize the on-line services in **LANCE** and to obtain important licensing information via automated notifications. Licensees will be receiving a postcard in the near future asking licensees to update demographics if outdated.

- b. 2022 Legislation-Rowland reported trying to reach out to the Senator's office, no update at this time
- c. Jurisprudence Examination in Process of Being Updated
- d. Body Art Regulations 172 NAC 44 has been forwarded to the Governor's office to request a 2nd public hearing.
- e. COVID 19: Executive Orders, Renewals<https://dhhs.ne.gov/licensure/Pages/Mental-Health-and-Social-Work-Practice.aspx>

On August 26, 2021, Nebraska Governor Pete Ricketts issued Executive Order 21-12 (expiring December 31, 2021), which provides waivers of specific statutes and applicable regulations due to a hospital capacity emergency.

Following highlights a few of the waivers:

- 1) Suspends the Continuing Competency/Continuing Education requirements for renewal for the several license types, including mental health practice related.
- 2) If exam's are limited in availability, credentials could be issued on a Provisional full credential, with proof they have applied for an exam.
- 3) Supervision can be done via the phone
- f. Reports: Disciplinary and Non-Disciplinary Actions, Licensure Statistics, Examination Pass/Fail Report, and Administrative Penalty Fees Assessed

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Pettigrew moved, seconded by Bingham, to enter into closed session at 11:05 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Anderson repeated the motion and purpose. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: Reed (1). Vacant positions (1). Motion carried.

11:05 a.m. Klaassen, Investigations entered the call
 11:07 a.m. Manual exited the room
 11:37 a.m. Klaassen exited the call
 11:54 a.m. Phillips, exited the call
 12:16 p.m. Break
 12:27 p.m. Meeting resumed
 12:33 p.m. Hornig recused and exited the call
 12:35 p.m. Hornig returned to the call
 12:54 p.m. Manual entered the room
 12:54 p.m. Hart exited the room

6. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

1:10 p.m. Verbal agreement from all board members to enter into open session; Hart entered the meeting room.

Cole Ackles: Tattoo Artist

MOTION: Nordboe moved, seconded by Rowland, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried.

Amberli Borrink: Tattoo Artist

MOTION: Nordboe moved, seconded by Rowland, recommend reinstatement with a 2-year probation with the following terms and conditions: Abstain from alcohol/controlled substances, Random body fluid screens, follow evaluation recommendations and those in the future, Quarterly employer reports, and the Standard Terms and Conditions of probation. Basis: Conviction and diagnosis. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Nordboe, Pettigrew, Rowland, Sims (9). Voting nay: Lucas (1). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried.

Leighton Casey: Cosmetologist-initial

MOTION: Criswell moved, seconded by Nordboe, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried.

Corinne Collins: Esthetics - Initial

MOTION: Nordboe moved, seconded by Criswell, recommend issuing with a 2-year probation with the following terms and conditions: Abstain from alcohol/controlled substances, Random body fluid screens, follow evaluation recommendations and those in the future, Quarterly employer reports, and the Standard Terms and Conditions of probation. Basis: Conviction and diagnosis. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried

Lashawna Gray: Cosmetologist - Reinstatement

MOTION: Nordboe moved, seconded by Criswell recommend reinstatement with a 1-year probation with the following terms and conditions: Abstain from alcohol, Random Alcohol screens, follow evaluation recommendations and those in the future, Quarterly employer reports, and the Standard Terms and Conditions of probation. Basis: Conviction and diagnosis. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried

Aundrea Grundman: cosmetologist - Initial

MOTION: Nordboe moved, seconded by Pettigrew, recommend issuing with a 2-year probation with the following terms and conditions: Abstain from alcohol/controlled substances, Random body fluid screens, follow evaluation recommendations and those in the future, Quarterly employer reports, and the Standard Terms and Conditions of probation. Basis: Conviction and diagnosis. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried

Marissa Murray: Cosmetologist - Reinstatement

MOTION: Rowland moved, seconded by Pettigrew, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried

Hanna Rankin: Tattoo Artist - Initial

MOTION: Hornig moved, seconded by Lucas, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried

Kassie North: Cosmetologist - Initial

MOTION: Sims moved, seconded by Rowland, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Lucas, Nordboe, Pettigrew, Rowland, Sims (9). Voting nay: None (0). Absent: Reed, Phillips (2). Abstain: Hornig (1). Vacant positions (1). Motion carried

Emily Reed: Esthetician-initial

MOTION: Bavougian moved, seconded by Pettigrew, to defer and request additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (10). Voting nay: None (0). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried.

Diana Rodriguez Salinas: Cosmetologist -initial

MOTION: Nordboe moved, seconded by Pettigrew, to the recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Failure to Disclose 4 out of 5 Convictions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland (9). Voting nay: Sims (1). Absent: Reed, Phillips (2). Vacant positions (1). Motion carried.

Jacob Harmon: Tattoo Artist - Initial

MOTION: Nordboe moved, seconded by Hornig, to recommend issuance with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (9). Voting nay: None (0). Absent: Reed, Phillips (2). Abstain: None (0). Vacant positions (1). Motion carried

Reinstatement – following suspension

Minh Tong: Nail Technician

MOTION: Bavougian moved, seconded by Nordboe, to recommend to reinstatement with no terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Pettigrew, Rowland, Sims (9). Voting nay: None (0). Absent: Reed, Phillips (2). Abstain: None (0). Vacant positions (1). Motion carried

8. ADJOURNMENT

Anderson announced the next meeting is scheduled on October 4, 2021 and declared the meeting adjourned at 1:38 p.m.

Submitted,

Jackie Hornig, Secretary
Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by the Licensure Unit.